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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.12.2018

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.23538 of 2004

M.S.Vijayakumar Tea Industries,
Rep.by its E.J.Favis,
S/o.Joseph,
Kesalada Road, Aravenue,
Nilgiris. .. Petitioner

..Vs..

The Executive Engineer,
Tamil Nadu Electricity Board,
Nilgiris Electricity Distribution Circle,
Revenue Branch,
Coonoor. .. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to letter No.EE/AAO/RB/CNR/ASV/D9 27/04 dated 09.12.2004 quash the same and direct the respondent to transfer the balance consumption charges deposit amount (S.C.No.134) in the name of the petitioner firm viz. M.S.Vijayakumar Tea Industries, Aravenue, Nilgiris.

For Petitioner : Mr.R.Subramanian

For Respondent : Mr.S.K.Raameshwar
Standing counsel for Electricity Board.

O R D E R

The order dated 09.12.2004 directing the writ petitioner to produce the consent of the owner of the service connection is under challenge in the present writ petition.

2. The learned counsel for the writ petitioner states that the security deposit made by the writ petitioner with the Respondent Board is sought to be transferred in the name of the writ petitioner and the Respondent Board directed the writ

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petitioner to submit the consent letter of the other partner. Though various grounds are raised now, the learned counsel for the petitioner brought to the notice of this Court that the other retired partner namely Smt.K.Parvathi, W/o. Kallan has given her consent letter to the Assistant Accounts Officer, enabling the respondents to transfer the security deposit in the name of the writ petitioner.

3. In view of this development, the respondents are directed to reconsider the case of the writ petitioner, in the light of the consent letter now produced before the Respondent Board and pass orders in respect of the claim of the writ petitioner for transfer of the security deposit within a period of 12 weeks from the date of the receipt of a copy of this order.

4. With these observations, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

The Executive Engineer,
Tamil Nadu Electricity Board,
Nilgiris Electricity Distribution Circle,
Revenue Branch, Coonoor.

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